



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KOMMA
Serial No.: 10/789,309
Filed: February 26, 2004
Title: OPTICAL HEAD DEVICE AND OPTICAL INFORMATION DEVICE
USING THE SAME, COMPUTER, OPTICAL DISK PLAYER, CAR
NAVIGATION SYSTEM, OPTICAL DISK RECORDER, AND
OPTICAL DISK SERVER

Examiner: Unknown
Group Art Unit: 2655
Docket: 10873.1406US01

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 1, 2006.

By: _____

Name: Peggy Kerkhove

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Copies of any foreign patent documents or "Other Documents" are enclosed.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. §(a)(3)):

English abstracts have been included for the cited Japanese references. A partial English translation has been included for the document authored by Nishioka, et al.

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the Filing Date, before the mailing date of a First Office Action on the merits, or before the mailing date of a First Office Action on the merits after the filing of a request for continued examination under 37 C.F.R. §1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a Final Rejection or Notice of Allowance, and
- ☐ the requisite Statement is below, OR

- ☐ the requisite fee of \$180.00 under Rule 1.17(p) is included herein, or
- ☐ (3) after the mailing date of a Final Rejection or Notice of Allowance but on or before the payment of the Issue Fee, AND
- ☐ the requisite Statement is below, AND
- ☐ the requisite fee of \$180.00 under Rule 1.17(p) is included herein.

STATEMENT

As required under §1.97(e), Applicants hereby state either that:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.
- ☐ If this box is checked, Applicant provides the following:

Certification Under 37 C.F.R. §1.704(d)

In accordance with 37 C.F.R. §1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

- ☒ The Examiner is hereby advised of the following co-pending U.S. applications. Copies of two of the following U.S. patent publications are enclosed. Serial No. 11/167,490 is a continuation of Serial no. 10/453,073, therefore a copy of the appropriate U.S. patent publication is not enclosed.

<u>Application No.</u>	<u>Publication No.</u>	<u>Filing Date</u>	<u>Group</u>
11/167,490	US 2005/249099	June, 27, 2005	2872
10/716,990	US 2004/109242	November 18, 2003	2872
10/453,073	US 2003/227858	June, 2, 2003	2872

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do

not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

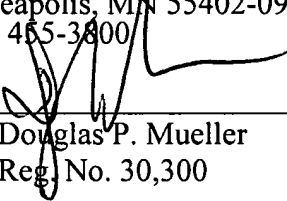
FEE AUTHORIZATION

Should any fee associated with the submission of this paper not be attached hereto as a check, the Commissioner is authorized to charge the missing fee to our Deposit Account, No. 50-3478. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &
LARSON, P.C.
P.O. Box 2902-0902
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Dated: November 1, 2006

By: 
Douglas P. Mueller
Reg. No. 30,300

DPM/pjk

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PATENT TRADEMARK OFFICE



FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 10873.1406US01	Application Number: 10/789,309
	Applicant: KOMMA	
	Filing Date: February 26, 2004	Group Art Unit: 2655

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	6,449,095	September 2002	Ohtaki et al.				
	6,898,168	May, 2005	Kimura et al.				
	2001/0000135	April, 2001	Mori et al.				
	6,992,967	January, 2006	Jeong				
	2003/227858	December, 2003	Komma				
	2004/109242	June, 2004	Komma				
	2005/249099	November, 2005	Komma				
	6,928,035	August, 2005	Komma, et al.				
	2005/152036	July, 2005	Shiono, et al.				
	2003/151996	August, 2003	Hendriks, et al.				
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	0 731 459	September, 1996	EPO				
	0 747 893	December, 1996	EPO				
	9-306018	November, 1997	Japan			Abstract	
	0 831 466	March, 1998	EPO				
	11-23819	January, 1999	Japan			Abstract	
	2001-93179	April, 2001	Japan			Abstract	
	2001-209966	August, 2001	Japan			Abstract	
	2002-237078	August, 2002	Japan			Abstract	
	02/082437	October, 2002	WIPO				
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
		Nishioka, et al., "BD/DVD/CD Compatible Optical Pick-up Technology", Extend Abstracts (The 50th Spring Meeting 2003); The Japan Society of Applied Physics and Related Societies, 27 p-ZW-10, Kanagawa University, March 2003 (with partial translation)					

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 10873.1406US01	Application Number: 10/789,309
	Applicant: KOMMA	
	Filing Date: February 26, 2004	Group Art Unit: 2655

		Katayama, et al., "Dual Wavelength Optical Head for 0.6mm and 1.2mm Substrate Thickness", Jpn. J. Appl. Phys., vol. 36 (1997) pp. 460-466



EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	